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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA,)
)
8 Plaintiff,) Case No. CR07-393 TSZ
)
9 v.)
)
10 ANTHONY BANKS,) **PROPOSED FINDINGS OF**
) **FACT AND DETERMINATION**
) **AS TO ALLEGED**
11 Defendant.) **VIOLATIONS OF**
) **SUPERVISED RELEASE**
12

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on August 12,
15 2008. The defendant appeared following his arrest on a warrant issued in this case. The United
16 States was represented by Robert Westinghouse, and defendant was represented by Jay Stansell.
17 Also present was U.S. Probation Officer Jennifer Tien. The proceedings were digitally recorded.

18 CONVICTION AND SENTENCE

19 Defendant was sentenced on March 20, 2008 by the Honorable Thomas S. Zilly for theft of
20 government property. He received three months of imprisonment and three years of supervised
21 release.

22 PRESENTLY ALLEGED VIOLATIONS AND
23 DEFENDANT'S ADMISSION OF THE VIOLATION

1 In a petition dated May 13, 2008, Supervising U.S. Probation Officer Thomas J. Fitzgerald
2 alleged that defendant violated the following conditions of supervised release:

3 1. Failing to notify the probation officer, at least 10 days prior to change in residence on or
4 before May 6, 2008, in violation of standard condition number six of his supervised release.

5 2. Failing to reside in and satisfactorily participate in a residential reentry program for a
6 period of four months as directed, since May 9, 2008, in violation of his special condition of
7 supervised release.

8 Defendant admitted the above violations, waived any hearing as to whether they occurred,
9 and was informed the matter would be set for a disposition hearing before District Thomas S.
10 Zilly.

11 RECOMMENDED FINDINGS AND CONCLUSIONS

12 Based upon the foregoing, I recommend the court find that defendant has violated the
13 conditions of his supervised release as alleged above, and conduct a disposition hearing.
14 Defendant stipulated to detention and was ordered detained pending disposition.

15 DATED this 12th day of August, 2008.

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18 BRIAN A. TSUCHIDA
19 United States Magistrate Judge
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